

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

TIMOTHY LOREN MORTENSEN,)

Defendant.)

2:11-CR-095-RLH (CWH)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on March 7, 2012, defendant TIMOTHY LOREN MORTENSEN pled guilty to a Two-Count Criminal Indictment charging him in Count One with Receipt of Child Pornography, in violation of Title 18, United States Code, Section 2252A(a)(2), and in Count Two with Possession of Child Pornography, in violation of Title 18, United States Code, Section 2252A(a)(5)(B). Docket #1.

This Court finds defendant TIMOTHY LOREN MORTENSEN agreed to the forfeiture of the property set forth in Forfeiture Allegation of the Criminal Indictment. #1.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal Indictment and the offenses to which defendant TIMOTHY LOREN MORTENSEN pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Sections 2253(a)(1) and 2253(a)(3):

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1. a Compaq desktop SR5000, serial number 3CR8120LYX;
2. a Hitachi Deskstar 500GB hard disk drive, serial number GEA530RE1KL2TE;
3. a Samsung 40GB hard disk drive, serial number 0414J1ERA04749;
4. computer images, including movie files, depicting a minor engaging in sexually explicit conduct and the diskettes and hard drives on which they are maintained; and
5. all visual depictions described in Title 18, United States Code, Sections 2251, 2251A, 2252 and 2252A and all items containing such visual depictions, which were transported, shipped and received in violation of Title 18, United States Code, Section 2252A and all property, real and personal, used and intended to be used to commit and promote the commission of these offenses ("property").

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of TIMOTHY LOREN MORTENSEN in the aforementioned property is forfeited and is vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the time under the applicable statute when a petition contesting the forfeiture must be filed, and state the name and contact information for the government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
2 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
4 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
5 following address at the time of filing:

6 Michael A. Humphreys
Assistant United States Attorney
7 Daniel D. Hollingsworth
Assistant United States Attorney
8 Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
9 Las Vegas, Nevada 89101.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
11 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
12 following publication of notice of seizure and intent to administratively forfeit the above-described
13 property.

14 DATED this 7 day of March, 2012.

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UNITED STATES DISTRICT JUDGE
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